



Enforcement

Edge Products LLC Settlement

(Washington, DC - January 17, 2013) - In a settlement with the United States on behalf of the U.S. Environmental Protection Agency, automotive electronics manufacturer Edge Products LLC (Edge) has agreed to pay a \$500,000 civil penalty for manufacturing and selling electronic devices that allowed owners of model year 2007 and later diesel pickup trucks to remove emission controls from their vehicles. Diesel trucks that are not equipped with emission controls known as “diesel particulate filters” emit excess particulate matter (PM). When running, trucks without these types of controls leave behind a trail of dark, black smoke. PM is associated with a number of health problems, including respiratory and cardiovascular disease, chronic bronchitis, decreased lung function, and an increased risk of lung cancer.

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Overview of Company

Edge Products, LLC (Edge) is an automotive electronics manufacturer based in Ogden, Utah. The company was founded in 1999. The electronic devices at issue in this case were sold to authorized distributors and directly to individuals throughout the United States.

Violations

Federal law prohibits any vehicle or engine from being sold in the United States unless it is covered by a valid, EPA-issued certificate of conformity indicating that the vehicle or engine meets applicable federal emission standards. The law further prohibits anyone from manufacturing or selling any part that defeats or bypasses the emission controls that are used to meet the standards. EPA sets different emission standards for different types of vehicles and engines.

Since 2007, heavy duty diesel trucks must meet stringent emission standards for particulate matter (PM) and other pollutants under EPA's regulations at 40 CFR Part 86. In order to meet these standards, heavy duty diesel trucks generally must be equipped with an emission control device known as a diesel particulate filter (DPF), which collects and burns soot from the engine exhaust. To ensure that the DPF functions properly, it is continuously monitored by the truck's computer. If the truck's computer detects a problem with the DPF, or if it has been tampered with or removed, the vehicle's "check engine" light is illuminated and the vehicle may not operate properly.

Between January 2009 and April 2011, Edge manufactured and sold a variety of electronic devices intended for use with model year 2007 and later GM, Ford, and Dodge diesel pickup trucks, which allowed users to reprogram a truck's computer so that the check engine light would not illuminate and the vehicle would continue to run even after the DPF had been completely removed. In total, Edge sold more than 9,000 of these products nationwide under the Edge Racing brand name. In doing so, Edge violated the provisions of Title II of the Clean Air Act (CAA), which prohibit the manufacture and sale of parts or components that defeat or bypass an emission control device that is installed on a motor vehicle.

Pollutant Impacts

PM, especially fine particles, consists of microscopic solids or liquid droplets that are so small that they can get deep into the lungs and cause serious health problems. PM is linked to a variety of problems, including increased respiratory symptoms such as irritation of the airways, coughing, or difficulty breathing, decreased lung function, aggravated asthma, and premature death in people with heart or lung disease.

EPA estimates that the illegal devices sold by Edge will result in 158 tons of excess PM emissions. This is equivalent to the emissions from 422 new long-haul semi trucks operating for a period of 29 years.

Injunctive Relief

The settlement requires Edge to do the following:

- Offer to buy back the illegal devices from anyone who possesses one. In order to sell a device back to Edge, the truck from which the device came must be returned to its original factory programming; and
- Spend at least \$157,600 to fund an emission mitigation project to offset the excess PM emissions resulting from the use of its devices. The funds provided by Edge will be offered as rebates to individuals who own old wood-burning stoves and who wish to replace them with cleaner burning appliances such as new pellet stoves or EPA-certified wood stoves in selected geographic areas with severe PM pollution. The rebate program will be implemented by an independent third party selected solely by Edge. Further details about the rebate program, including eligibility requirements, will be available after the third party has been selected.

Civil Penalty

Edge will pay a penalty of \$500,000. This amount was reduced substantially in light of Edge's current financial condition.

Comment Period

The proposed settlement, lodged in the U.S. District Court for the District of Columbia, is subject to a 30-day public comment period and final court approval. Information on submitting comments is available at the Department of Justice website.

For more information, contact:

Nahal Mogharabi
Public Affairs Specialist
U.S. Environmental Protection Agency
600 Wilshire Blvd., Suite 1460
Los Angeles, CA 90017
D: (213) 244-1815
C: (213) 514-4361
mogharabi.nahal@epa.gov

Doug McDaniel
Air Enforcement Office
U. S. Environmental Protection Agency
75 Hawthorne St. (AIR-5)
San Francisco, CA 94105
(415) 947-4106
mcdaniel.doug@epa.gov

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